

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

★ SEP 25 2012 ★

LONG ISLAND OFFICE

-----X
HUGH G. SMITH,

Plaintiff,

-against-

ORDER
12-CV-4344 (SJF)(GRB)

COUNTY OF NASSAU, MICHAEL SPOSATO,
Sheriff of Nassau County,

Defendants.

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FEUERSTEIN, District Judge:

On September 19, 2012, the Court granted the application of Hugh G. Smith ("plaintiff") to proceed in forma pauperis and denied his application for the appointment of pro bono counsel without prejudice and with leave to renew when the case is ready for trial. [Docket Entry No. 8]. The Court noted that plaintiff's complaint included a list of forty-eight (48) other inmates on behalf of whom plaintiff sought to commence the action. However, because the complaint was signed by plaintiff alone and plaintiff lacked authority to commence a class action, the other inmates were terminated as plaintiffs. Id. On September 14, 2012, an amended complaint was filed that includes the signatures of various other parties in addition to plaintiff (the "additional plaintiffs"). [Docket Entry No. 7]. The Court's original order is therefore modified insofar as the additional plaintiffs are reinstated as plaintiffs in the action, and the order granting the application to proceed in forma pauperis and denying the appointment of pro bono counsel shall apply as to the additional plaintiffs.

The Clerk of the Court shall cause the United States Marshal Service to serve copies of the summons, amended complaint and this Order upon the defendants without prepayment of fees, and to serve notice of entry of this Order in accordance with Rule 77(d)(1) of the Federal

Rules of Civil Procedure, including by mailing a copy of the Order to the pro se plaintiffs at their last known address pursuant to Rule 5(b)(2)(C) of the Federal Rules of Civil Procedure.

SO ORDERED.

s/ Sandra J. Feuerstein

Sandra J. Feuerstein
United States District Judge

Dated: September 25, 2012
Central Islip, New York